

Honolulu, Hawaii

FEB 03

, 2020

RE: H.B. No. 1904

H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 1904 entitled:

"A BILL FOR AN ACT RELATING TO THE UNIFORM EMPLOYEE AND STUDENT ONLINE PRIVACY PROTECTION ACT,"

begs leave to report as follows:

The purpose of this measure is to establish The Uniform Employee and Student Online Privacy Protection Act to protect the online accounts of employees, prospective employees, unpaid interns, applicants, students, and prospective students, from employers and educational institutions.

Your Committee received testimony in support of this measure from the Department of Education, University of Hawaii System, Hawaii Civil Rights Commission, Commission to Promote Uniform Legislation, LGBT Caucus of the Democratic Party of Hawaii, Pride at Work - Hawaii, and two individuals. Your Committee received comments on this measure from the American Civil Liberties Union of Hawaii and American Council of Life Insurers.

Your Committee finds that growing reports of employers and educational institutions requiring or demanding access to the personal online accounts of employees, job applicants, and students raises significant privacy concerns. These concerns have resulted in legislative efforts in other jurisdictions to protect



employees and students against unwarranted invasions of privacy and from workplace access to their social media accounts.

Your Committee further finds that this measure, developed by the Uniform Law Commission, received input from employers, educational institutions, internet and other technology companies, and privacy organizations. This measure seeks to prevent employers and public and private educational institutions from demanding access to the online accounts of employees and students.

Your Committee has amended this measure by:

- (1) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1904, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1904, H.D. 1, and be referred to your Committee on Lower & Higher Education.

Respectfully submitted on
behalf of the members of the
Committee on Labor & Public
Employment,



AARON KING JOHANSON, Chair



